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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/574,802

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Yoshimasa Katou

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02/26/2009

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EXAMINER

MUSLEH, MOHAMAD A

ART UNIT

PAPER NUMBER

2832

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/574,802	Applicant(s) KATOU, YOSHIMASA	
	Examiner MOHAMAD A. MUSLEH	Art Unit 2832	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/31/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7 is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/31/2008</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country, in public use, or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. **Claims 1-6** are rejected under **35 U.S.C. 102(b)** as being anticipated by **JP**

2000285782 [JP285782].

2. Regarding **claim 1**, at **[figs. 1-20] JP285782** teaches a base **[10]**, an electromagnet **[60]** disposed on the base **[10]**, an armature **[50]** supported rotatably by the base so as to swing in response to excitation/non-excitation of the electromagnet **[60]**, a movable spring **[21]** whose one end has a movable contact **[22]** and the opposite end is secured to the base **[10]**, a fixed contact **[26]** disposed opposite to the movable contact **[22]** to constitute a contact mechanism **[20]** together with the movable contact **[22]**, a card **[40]** having a coupling part **[53]** to be coupled to the armature **[50]** and an insertion hole **[42a-42d]** to which the one end of the movable spring **[21]** is inserted, the card **[40]** elastically deforming the movable spring **[21]** in conjunction with a swing motion of the armature **[50]** to selectively open or close the contact mechanism **[20]**, wherein the movable spring **[21]** has a U-shaped hook **[element 21a, top part of element 21]** formed by bending the one end of the movable spring **[21]** toward the opposite end side, the one end of the movable spring **[21]** being configured to be able to pass through the insertion hole **[42a-42d]** while being pushed by an inner surface of

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the insertion hole and being deformed elastically, an end of the hook being engaged with the card **[fig. 14]**.

3. Regarding **claim 2**, wherein the card **[40]** has a recess **[fig. 14]** in the inner surface of the insertion hole **[42a-42d]**, the recess running along an axial direction of the insertion hole **[42a-42d]** so that the one end of the movable spring **[21]** pushed by the inner surface of the insertion hole **[42a-42d]** and elastically deformed in passing through the insertion hole can escape to the recess **[fig. 14]**.

4. Regarding **claim 3**, wherein the movable spring **[21]** has slits on both sides of the hook **[fig. 4]**.

5. Regarding **claim 4**, wherein the card **[40]** has a step **[44a/44b]** on the inner surface of the insertion hole **[42a-42d]**, and the end of the hook being engaged with a surface of the step opposite to a side from which the one end of the movable spring is inserted **[figs. 13-14]**.

6. Regarding **claim 5**, wherein a surface of the step **[44a/44b]** on the side from which the one end of the movable spring **[21]** is inserted is inclined toward an inside of the insertion hole **[fig. 14]**.

7. Regarding **claim 6**, wherein the movable spring **[21]** has a shoulder part **[fig. 4]** for supporting a surface of the card **[40]** on a side from which the one end of the movable spring **[21]** is inserted, the shoulder part being formed into a U-shape by bending a part of the movable spring toward the the opposite end side.

Allowable Subject Matter

8. **Claim 7** is allowed.

Response to Arguments

9. Applicant's arguments filed **12/31/2008** have been fully considered but they are not persuasive. In response to the applicant arguments that the top part of the spring 21 is not a U-shape is not persuasive, because element **21a** or the top of element **21** is a U-shape starting from the right side then going to the top then to the left side.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **MOHAMAD A. MUSLEH** whose telephone number is **((571)272-9086)**. The examiner can normally be reached on M-F (8:30-5:00 Est. Time) 1st Friday Off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Elvin G. Enad** can be reached on **(571) 272-1990**. The fax phone number for the organization where this application or proceeding is assigned is **(571) 273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval **(PAIR)** system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see **<http://pair-direct.uspto.gov>**. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center **(EBC) at 866-217-9197 (toll-free)**. If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call **800-786-9199 (IN USA OR CANADA) or 571-272-1000**.

/Mohamad A Musleh/

Examiner, Art Unit 2832

/Lincoln Donovan/

Supervisory Patent Examiner, Art Unit 2816